

REMARKS

Claims 1-32 were pending in the application . Claims 1-32 have been rejected. Applicants have cancelled claims 1, 2, 4, 5, 7, 8, 11-17, 19, 23, 25-27, 29, 31 and 32. New claim 33 has been added for consideration. Claims 3, 6, 9, 10, 18, 20, 21, 24 and 28 have been amended. Accordingly, claims 3, 6, 9, 10, 18, 20, 21, 22, 24, 28, 30 and 33 are pending in the application.

The Examiner has rejected claims 2, 19-22, 24 and 31 under 35 USC §112, second paragraph as being indefinite. Claims 19-22, 24 and 31 all depended directly or indirectly from claim 2. Applicant has cancelled claims 2, 19 and 31. Therefore, with respect to these claims, the subject rejection is moot. Applicants have amended claim 24 substantively, and have amended claims 20-22, 24 and 31 to depend directly or indirectly from new claim 33. Thus, applicants respectfully submit that claims 20-22, 24 and 31 meet all the requirements of 35 USC §112, second paragraph. Favorable reconsideration of these claims is respectfully requested.

The Examiner has rejected claims 1, 4-7 and 30 under 35 USC §103(a) as being unpatentable over Faig et al. (U.S. Patent No. 5,033,955). The Examiner states that certain features of the present invention are disclosed in Faig, although the Examiner acknowledges that directly accessing the movable mold platen through a door opening is not disclosed by the Faig et al. reference. Notwithstanding this distinction, the Examiner takes the position that it would be obvious to one skilled in the art to obtain access to the molded part through a door opening.

Applicants respectfully disagree.

Among other reasons, the claimed invention can be distinguished from the '955 patent by the door platen 26, where, upon completion of a molding cycle, the door platen 26 is opened and the molded part(s) can be accessed and removed, from one spot, by the machine operator from the movable mold platen 22, through a door opening that is defined in a frame member, thus providing direct and safe access by the machine operator. This capability, that the device of the '955 patent does not possess, has been emphasized in new claim 33. The operator's access to the movable mold platen during normal performance of the molding operation is further emphasized in the last clause of new claim 33. This is supported, for example, by Fig. 1 of the present application.

This direct and safe access by a machine operator to the movable mold platen 22, which the claimed invention exhibits, is a capability that the the device of the '955 patent cannot provide because of the horizontal longitudinal design of its movable platen 100, where direct longitudinal access to the first mold member is blocked by the second mold member. A safety hazard would exist if a machine operator were to remove parts while being positioned directly between the first and second mold members. Instead, the device of the '955 patent allows the operator to remove finished parts by allowing either or both of the two mold members to be pivoted into an indirect position so that safe access is gained to the molded part(s).

Applicants further submit that the configuration of the molding apparatus of the present invention, namely the "booking" movement of the press members in relation to one another contribute to the compact size of the present molding apparatus, has proven to be advantageous as the apparatus is utilized.

These arguments are put forward with respect to new claim 33, which has been presented for consideration by the Examiner, and which contain limitations similar to those which the Examiner has rejected in connection with claims 1, 4-7 and 30. Applicant have cancelled claims 1, 4, 5 and 7, therefore, those rejections are moot. Claims 6 and 30 now depend directly or indirectly from claim 33.

For the reasons noted herein favorable reconsideration of claims 6 and 30 is respectfully requested.

The Examiner has rejected claims 2, 3, 8-29, 31 and 32 under 35 USC §103(a) as being unpatentable over Faig et al. (U.S. Patent No. 5,033,955). Applicants have cancelled claims 2, 8, 11-17, 19, 23, 25-27 and 29. Therefore, with respect to these claims, the rejection is moot. Claims 3, 9, 10, 18, 20, 21, 22, 24 and 28 now depend directly or indirectly from new claim 33.

In response to the Examiner's comments, applicants wish to emphasize that the fixable door mold is hingedly mounted to the frame of the molding apparatus in such a manner that the fixable door mold may swing on such hinges in order to be brought into facing relation and, ultimately, into fixed intimate contact with the movable mold platen to perform a molding operation. The cooperating movable mold has a movable portion which operates within the confines of the movable mold platen, and when in an advanced position forms, with the fixable door mold, a mold cavity into which polymeric materials may be injected. The above-described structure allows for a very versatile, yet compact molding apparatus.

By contrast, the apparatus of the Faig et al. reference is much less compact, as it operates in a strictly horizontal plane for molding purposes. More specifically, only the

so-called movable mold of Faig et al. undergoes any movement for molding, and such movement is in a strictly horizontal direction toward the facing, or opposed stationary, mold. The actual mold is, apparently, fixed in the stationary mold platen and there is no movement within the mold platen as occurs in the movable mold platen of the subject invention.

Further, the strictly horizontal, ram-like movement of the movable mold of the Faig et al. reference is in no way equivalent to the swinging or rotating movement of the fixable door mold of the subject invention.

As previously noted, the access to the movable mold platen offered by the present invention is not possible with the configuration of the Faig et al. apparatus.

For the above-stated reasons, applicants submit that the claimed invention is fundamentally different from the apparatus of the Faig et al. reference, and thus, is distinguishable from and patentable over the cited references.

Finally, as acknowledged by the Examiner, the Faig et al. reference does not teach a vacuum head. Applicants reiterate that the apparatus of the Faig et al. reference is really the type of device that the present invention was designed to replace.

For at least the reasons described herein, applicants respectfully submit that claims 3, 9, 10, 18, 20, 21, 22, 24 and 28 are distinguishable from, and patentable over the Faig et al. reference. Favorable reconsideration of these claims is respectfully requested.

For all the reasons discussed herein, applicants submit that the current application is now in condition for allowance. A timely action to that end is courteously

Application No. 10/666,151
Reply to Office Action of September 24, 2004
Attorney Docket No. 1-16232

solicited. If the Examiner would prefer language different from that proposed by applicant, a telephone call to applicants' attorney is requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Donald A. Schurr', written over a horizontal line.

Donald A. Schurr
Registration No. 34,247

ATTORNEYS:
Marshall & Melhorn, LLC
Four SeaGate, 8th Floor
Toledo, OH 43604
Tel: 419-249-7100
Fax: 419-249-7151